

Dictionary of Environmental Law

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Reviewed by Laurence Cordonnery

This environmental law dictionary is the first of its kind and has the merit of comprehensively providing definitions of legal terms such as locus standi and adversarial procedure in the context of environmental disputes. The legal terms defined are concise and accurate with relevant examples provided as illustrations.

In addition to providing definitions of legal terms the dictionary also defines technical terms (for example environmental impact assessment) and specific issues (for example acid rain and air pollution) often associated with the use of legal terms.

By defining concepts such as sustainable development and capacity building, this dictionary also makes relevant links between environmental law and policy. This dictionary also incorporates descriptions of soft law instruments (such as Agenda 21 and the Rio Declaration) and emerging environmental law principles (such as the precautionary principle, the polluter-pays principle or the right to intergenerational equity). These instruments play a considerable role in policy formulation and ultimately in shaping environmental law.

Descriptions of the state of environmental law per country have been provided by the author. These descriptions are very useful in that they provide an indication of the legal developments that are taking place in this field at the domestic level.

However, there are a number of omissions that are detrimental to the quality of the work. Some important resource exploitation terms which have not been defined include the following terms which are commonly used in fisheries agreements: “biomass”, “recruitment”, “maximum sustainable yield”, “coastal state”, “flag state”, “port state”, “high seas”. Because these terms are commonly used in both international fisheries law and the law of the sea, which both contain important developments in the field of environmental law, such an omission undermines the usefulness of this dictionary.

Other terms that have been inadequately defined include “framework” and development“. The term “framework” is defined in relation to environmental laws (page 126) but not with respect to international agreements. This omission of the international context in which the term is used is important because of the legal implications and limitations of international instruments qualified as framework agreements. The definition of the word “development” is incomplete as it does not discuss the conventional focus upon economic growth as the most important aspect of development. (see page 81).

A further omission, in relation to reference to international instruments, is that the book does not specify whether these have or not entered into force. This type of information is as equally important as the date of adoption, which the author provides.

There are also some errors in the discussion of conventions. Reference is made to the Convention for the Regulation of Antarctic Mineral Resources Activities, which has never been ratified, but another equally important convention, the Convention on the Conservation of Antarctic Marine Living Resources, which has entered into force, is not mentioned (see page 71). Additionally, the United Nations Fish Stocks Agreement is presented as an illustration of a convention and referred to as Convention on Straddling Stocks and Highly Migratory Fish Stocks. However, this instrument is an agreement rather than a convention whose full title is: Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling and Highly Migratory Fish Stocks(see page 73).

This dictionary will be particularly useful to law and natural resources students, non-governmental organisations and civil servants with no legal background. Experts in environmental law and academics may also find the definitions provided of relevance for report writing and may use this dictionary for referencing key terms in used in their publications.

This dictionary is relevant to students, academics and civil servants of the Pacific region but lacks definitions of concepts used in fisheries management, which would be of particular relevance to the South Pacific region. In addition, the dictionary does not discuss in any way the state of environmental law in Pacific Islands Countries. While such omissions demonstrate a lack of focus on the Pacific region, the dictionary remains useful since a number of terms that are defined are now part of environmental law and policy in the Pacific region.

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